Region 6 Water Quality Protection Division
Clean Water Act Section 106 Request for Applications

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APPENDICES

Introduction

Summary: Region 6 U.S. Environmental Protection Agency (EPA), Water Quality Protection Division, State/Tribal Programs Section is soliciting work plans for the Fiscal Year (FY) 2007 Clean Water Act (CWA) §106 Tribal Water Pollution Control Program as authorized by § 518(e) of the CWA. Funding is available to Tribes having Treatment in the same manner as State (TAS) eligibility. This approval was formerly referred to as "Treatment as a State" or "TAS," but the term "program authorization" is also used. The requirements for CWA § 106 program authorization are found at 40 Code of Federal Regulations (CFR) § 130.6(d). Additional information may be obtained from one of the EPA Region 6 Tribal Project Officers listed on page 11. Documentation for the CWA § 106 program authorization should be submitted to the EPA as soon as possible, but no later than the deadline for submission of the § 106 work plan.

The CWA §106 Program provides funding for the prevention, reduction, and elimination of water pollution. Specific activities may include ambient water monitoring; development of water quality standards; ground-water and wetland protection; and non-point source control activities, such as writing an assessment report and a management plan. All monitoring and analysis activities must meet applicable quality assurance and quality control requirements as stated in 40 CFR § 31.34. Construction related project activities or acquisition of land are not eligible under this program. Project activities must not duplicate efforts funded from any other Federal source. Should you need more information concerning the program guidance for CWA § 106 for Tribes, you can obtain it online at: www.epa.gov/owm/cwfinance/final-tribal-guidance.pdf. Additionally, you can obtain a copy of this request for applications and work plans online at www.epa.gov/earth1r6/6wq/at/tribal/index.htm.

This is not a competition. In accordance with paragraph 6(c)(1) of EPA Order 5700.5A1, which states, "Assistance agreement awards to States, interstate, and local agencies and, if applicable, Tribes, intertribal consortia, and other eligible recipients, under the following programs: those programs covered by 40 CFR Part 35 that are not subject to statutory/regulatory competition requirements". However, since the requests usually exceed available funds, EPA Region 6 must assess applications (particularly the Variable portion of the Work Plan) received against the criteria in the Final Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act for Fiscal Years 2007 and Beyond, including the following: support of functional models found in the Guidance, potential outputs and outcomes, and demonstrated tribal capacity and performance.

A. Water Quality Program Approach and Program Level Decisions

The ***Final Guidance on Awards of Grants to Indian Tribes under the Clean Water Act for Fiscal Years 2007 and Beyond,*** recognizes that tribal water quality programs have different program goals, and has designed flexible approaches and levels of project activities that can accommodate these differences. Prior to developing a work plan for the FY 2007 Clean Water Act § 106 Funding, EPA Region 6 requires that each Tribal grantee make decisions on where their program is developmentally, under the categories of *fundamental, intermediate, or mature*. Additionally, the Section 106 *G*uidance presents three flexible approaches to implementing tribal water quality programs that recognize the diversity in tribal water quality programs and their goals. Your tribe may implement a water quality program using any one of these approaches or a combination of them. This Request for Applications document will help you understand how to develop work plans to meet the requirements of your chosen approach. The flexible approaches are:

- **Non-regulatory Approach.** This approach is appropriate for tribes that can most successfully achieve their environmental goals through non-regulatory approaches for controlling, preventing, and eliminating water pollution, and does not require the development of enforceable standards. It provides a framework for achieving results through voluntary and collaborative activities, with an emphasis on NPS control, non-structural management measures, and source water protection. The approach focuses on non-regulatory aspects and does not address other enforceable components that may also be part of implementing a voluntary or collaborative program. The programs supported under this approach will provide the data, tools, and management infrastructure necessary to make informed decisions about the best ways of improving tribal water quality. For more information, see chapter 5 of the Section 106 guidance.

- **Tribal Law Water Quality Protection Approach.** Under this option, tribes will use tribal law to protect water quality. This approach is based on a tribally defined environmental regulatory program and is intended for tribes that are not interested in pursuing federally approved WQS authority, but that would nonetheless like to develop mechanisms under tribal law to protect water quality. This approach gives tribes the option of pursuing standards and goals that can be adopted under tribal law (which may differ from the standards adopted by a surrounding state). The standards may also help tribes identify impaired water bodies, propose solutions, and develop water quality reports that meet EPA's reporting requirements. For more information, see chapter 6 of the Section 106 guidance.

- **EPA-Approved Water Quality Protection Approach.** This approach is designed for tribes that want to pursue eligibility for establishing EPA-approved WQS, which will serve as the regulatory basis for water quality pollution controls, including CWA Section 401 certifications and National Pollutant Discharge Elimination System (NPDES) permits. It requires tribes to apply to EPA for program authorization for WQS. This approach will lead to the development of tribal WQS programs with authority and functions similar to state programs. EPA will continue to have responsibility for administering and enforcing other provisions of the CWA. If a tribe elects not to pursue authorization for the NPDES program, EPA will continue to administer and enforce it. For more information, see chapter 7 of the Section 106 guidance.

The Section 106 guidance also outlines the activities that EPA anticipates tribal water quality programs will undertake in three areas: program initiation, planning, and administration; monitoring, data management, and data assessment and analysis; and reporting. Each of these areas is divided into three subsections:

- **Fundamental program activities**, which establish the foundation for a successful program. These program activities will help you identify water quality goals and objectives for your program.

- **Intermediate program activities**, which build the tribal water quality program and advance it towards its water quality goals and objectives.

- **Mature program activities**, which enable tribes to achieve the goals and objectives of their programs, as well as develop new water quality goals and objectives.

These subsections are not meant to be all-encompassing, and it is likely that some tribes will conduct activities across different subsections at the same time. The subsections are most useful when viewed as general guidelines for program development, rather than as fundamental distinctions among tribal programs. In addition, all activities will not progress at the same pace, and a tribe may not implement all activities at once, so

different program areas may be at various levels of maturity. EPA anticipates that tribes will move from fundamental to intermediate and mature program activities over several years and recognizes that some activities will occur many years in the future. Because program capabilities, program priorities, and levels of experience differ among tribes, EPA does not expect that mature activities will occur at the same rate for all tribes. For example, a tribe might have a mature monitoring program while implementing fundamental and intermediate non-regulatory watershed-based protection activities.

EPA does expect that all tribes will develop more sophisticated programs over time and will make progress toward mature program activities, but the rate of progress may vary from tribe to tribe and will be determined through negotiations between tribes and the appropriate EPA regional office on a case-by-case basis. *(See Appendix G, Tribal Program Self-Assessment Checklist*). Should you have any questions, please contact your Region 6 Tribal Project Officer.

B. Work Plan Elements

This outline should be used to help develop your Clean Water Act § 106 work plan based on the Fiscal Year 2007 CWA § 106 Tribal Guidance. The purpose of the work plan is to describe in detail the work activities (outputs) that will be carried out and the outcomes (environmental results) that will be achieved through use of CWA § 106 grant funds. Each Program commitment that you and your staff undertake should include a goal, objective, and milestone(s). The work plan should possess a clear description of the work activities (outputs) and environmental outcomes (results**),** and data quality objectives for those activities that involve data collection.
Please refer to the ***Final Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act for Fiscal Years 2007 and Beyond,*** for details not contained in this Regional support document.

Linking Your Activities to EPA's Strategic Plan

The goals of the Tribal 106 Program are linked to EPA's Strategic Plan. EPA's Strategic Plan is built around five goals, centered on the themes of air and global climate change, water, land, communities and ecosystems, and compliance and environmental stewardship. EPA's 2006 - 2011 Strategic Plan serves as the Agency's road map and guides in establishing the annual goals each program is expected to meet. The plan also provides a basis from which EPA's managers can focus on the highest priority environmental issues and ensure that taxpayer dollars are used effectively.

The overriding Strategic Goals that awards under the Tribal 106 Program are:

Goal 2: Protect Water Quality

- Sub-objective 2.2.1 Improve Water Quality on a Watershed Basis. By 2012, use pollution prevention and restoration approaches to protect the quality of rivers, lakes, and streams on a watershed basis; and

Goal 4: Healthy Communities and Ecosystems -- Protect, sustain or restore the health of people, communities, and ecosystems using integrated and comprehensive approaches and partnerships.

For more information on EPA's Strategic Plan go to: http://www.epa.gov/ocfopage/plan/plan.htm

All proposed projects must be linked to environmental results and include specific statements describing the environmental results of the proposed project in terms of well-defined outputs, and, to the maximum extent practicable, well-defined outcomes that demonstrate how the project will contribute to the overall goal of

restoring and protecting the environment. In such instances, outcomes are not measured typically by environmental or water quality indicators, but rather by the institutional indicators that lead to the adoption and application of laws and regulations and the active management of programs necessary to provide environmental protection.

Tribes and intertribal consortia, as recipients of EPA grant funds, play an integral part in achieving EPA's objectives and sub-objectives and in demonstrating environmental results. EPA intends to use the information that tribes and intertribal consortia provide as a basis for linking the Agency's actual expenditures with EPA's results-based accomplishments or outcomes.

I. Background

Provide a general introduction that contains background information about the Tribal lands in which the project activities will be conducted. This includes: land size, population, location, boundaries, and an atlas of water resources (miles/acres of surface water, groundwater, wetlands). Please include a map of the area in which project activities will be conducted.

II. Environmental Water Quality Needs and Priorities

Provide a brief summary of previous activities and accomplishments. Describe the key environmental goals or needs you would like to address using CWA § 106 Tribal grant funds. This may include, but are not limited to, the following examples:

- "Fisheries and water quality monitoring data, which indicate that lakes are beginning to experience eutrophication due to non-point source nutrient loadings. A priority for the Tribe during the next year is to complete a non-point source assessment and management plan, and to oversee projects planned to reduce or control non-point source loadings," or

- "Designated Use(s), e.g., aquatic life use. For example, attain applicable Water Quality Standards or other type of benchmarks for the purpose of assessing Designated Use(s)".

Note: EPA's long term goal is for all CWA § 106 Tribal grant recipients to report ambient water quality data and metadata into STORET. Web-based tools are currently being developed to assist the tribes in achieving this goal. However, in the interim, tribes must submit to their EPA Regional offices the electronic copies of surface water quality data in a STORET-compatible format, as part of their annual Tribal Assessment Reports.

III. Work Plan

The work plan should provide details on all components or activities that will be conducted by the tribe under this grant during the grant period. The two main categories of work that are routinely conducted under the CWA § 106 program involve data collection activities, and non-data collection activities.

The work plan should always include a Base Program category, and may or may not include data collection activities.

A) Base Program: This area, a distinct component in every CWA § 106 work plan, should describe the base water quality program the Tribe seeks to implement using the CWA § 106 grant funds. Grantees may choose to apply only for Base Program funding which currently is $60,000.00.

- The Base Program will typically include water program staffing and on-going duties and responsibilities. This area includes participating in area-wide water resources planning; working on Tribal ordinances; reviewing proposed permits; conducting education and outreach; coordinating with EPA; and responding to water resources-related questions and requests from the Tribal Council and Tribal members. The Base Program funding encompasses the costs of staffing the program and operational and support costs; such as, supplies, travel, equipment, and should explain the skills that are needed to implement the Tribe's specific program and how their staffing mix provides those skills.

- Training or other activities planned to further increase the Tribe's internal capability to administer effective water programs can also be included as part of the Base Program. Training linked with identified skills may be useful to document the need for training.

- Travel funds can be budgeted for training, conferences, and meetings as part of the Base Program. In your budget justification *(See Appendix D, Grant Budget/Budget Justification, Detailed Budget Narrative*). Please include information on the training being budgeted and the basis for the travel estimate.

Note: An example of a Base Program activity is enclosed as *Appendix B, Example A, Base Program for FY 2007*. Data collection activities may be included under the Base Program. All environmental data collection requires an approved Quality Assurance Project Plan (QAPP), (includes Data Quality Objectives - DQOs), prior to any field work, sampling activity, or collection of data, including data gathered from other sources, i.e., secondary data. (*See Appendix A, Data Quality Objectives*).

Data Collection Activities/Projects: In addition to describing your Base Program, the work plan must explain any other environmental program activities or projects that will be undertaken to support or build the Base Program. These activities may involve surface water, sediment, ground water, wetlands, or development of wetlands inventory, etc. Monitoring objectives or activities should be listed as **separate work plan tasks** with goals, objectives, environmental outputs/outcomes, and deliverables. If the project activity includes the collection of data, then a QAPP is required, as stated in Code of Federal Regulations (CFR) 40 Part 35.45. A QAPP must be identified as a deliverable if an update is needed. Additionally, if the activity or project entails water quality monitoring or other environmental data collection activities, DQOs must also be included in the work plan as a specific task. More information on DQOs and QAPPs can be found on EPA's website at http://www.epa.gov/quality/qa_docs.html. (*See Appendix A, Data Quality Objectives*).

Federal regulations and EPA policy require that data collected with federal funding be submitted to EPA. If the water quality monitoring program includes sampling sites and the tribe does not wish to submit their monitoring data, CWA § 106 funds should not be used to conduct monitoring at those particular sites. EPA's policy and response to comments can be found on the following EPA American Indian Environmental Office (AIEO) website: http//www.epa.gov/Indian/policyintitvs.htm. These documents are also included as *Appendix C* of the *The Final Guidance on Awards of Grants to Indian Tribes under the Clean Water Act For Fiscal Years 2007 and Beyond.*

Non-Data Collection Activities: This category may include outreach and education activities, tribal ordinances, Non-Point Source Assessment Plan and Management Report, source water protection plans, issuance of CWA § 401 certifications by tribes with authority under CWA § 303(c) and § 401, and other activities not included in either the Base Program or Data Collection activities.

Note: An example of a non-data collection component is enclosed as *Appendix B, Example C, Outreach and Education – Non-Data Collection Activities*.

B) Variable Program: (Optional)

The Variable Program will fund additional self-determined tribal environmental priorities that build upon the grantee's base water pollution control program. The Variable Program must be submitted as a clearly identified portion of the work plan that is separate from the Base Program. If the Variable Program is included with the Base Program, the Variable Program project activities will not be funded. The Variable Program must comply with items listed above for data collection and/or non-data collection activities, and will be evaluated on the technical merit and potential environmental output and outcomes, and past performance.

Note: An example of a Variable Program project activity is enclosed as *Appendix B, Example B, Variable Program, CWA § 401 Certification for FY 2007.* Submit requirements as listed. Refer to Page 5, Part III Work Plan, and Item C) General Work Plan Overview below.

C) General Work Plan Overview

As you develop your work plan for the Base Program, Variable Program, or both, you must address elements 1-9:

1. Background Narrative and Water Quality Needs and Priorities. Include a Narrative that summarizes previous years work efforts and proposed work plan activity.

2. Budget. Estimate Full Time Employees (FTE) and budget for activities. May include base, data collection or non-data collection).

Example: The **Base Program** work plan should consist of a list of water program staff, and include the number of FTEs, such as the Water Project Coordinator, the Environmental Technician, others, etc.

Identify the responsibilities of each of the staff members.
The Tribal Director is responsible for…
The Water Project Coordinator is responsible for…
The GIS Technician is responsible for…, etc.

Include the staff response to issues and concerns raised by the Council and Community. "In the past, such activities have included… (provide examples). We anticipate that similar activities will be required over the course of this grant."

Mention staff participation in trainings and workshops to increase program capacity. Staff frequently attend conferences and symposiums to share information and make valuable personal contacts with other aquatic resource professionals. Give appropriate examples. In addition, if staff members have made presentations at such meetings, provide specific information. List the anticipated travel and include cost estimates and itemize these costs per trip and per staff member.

3. Goals are the desired results for the program based on the identified needs. Typically, goals describe future expected outcomes, provide programmatic direction, and focus on ends rather than means. There are short term and long term goals. As goals are developed, consider plans to

accomplish these goals as an end result of the component being described. Include a general timeframe for your goals. Long term goals may not necessarily be accomplished during an assistance agreement funding period. For example, developing a surface water monitoring plan, introducing water resource curriculum into middle schools, developing and implementing a groundwater ordinance, may take a few years to accomplish.

4. Objectives tend to be more specific than goals, and should not be confused with the needs for data quality objectives for data collection activities. Objectives should be clear, realistic, specific, measurable, and time-limited. Objectives should provide steps to achieve goals, solve problems and meet priorities and needs. Examples: surface water monitoring, water resources education, groundwater resource planning.

5. Outputs are activities or tasks that are performed to complete a project. An "Output" is an environmental activity, effort, and/or associated work products related to an environmental goal or objective, that will be produced or provided over a period of time or by a specified date. Outputs must be measurable during an assistance agreement funding period. Outputs reflect the products or services a program will provide. Each activity or output should provide specifics whenever possible, i.e., estimating how many permits will be reviewed, or how many samples will be collected.

6. Timeframe, milestone or number conducted. Indicate the date in which a percent or number associated with the objectives and outputs will be complete. This will assist the Grantee and the EPA Region 6 in determining the progress made throughout the year. Milestones, whether met or not, should be highlighted in the quarterly progress reports.

7. Outcomes are the result, effect or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related, or programmatic in nature and may not be achievable within an assistance agreement funding period. Outcomes are actual changes or benefits resulting from activities or outputs of the program and are generally quantifiable. An example of an outcome: measurable improvements in water quality. (*See Appendix C, Reporting Outcomes in the CWA § 106 Work Plan*).

8. Deliverables are the products, efforts, or results that will be produced as a result of the "Output," as they correspond to each activity, project, or individual task, to the maximum extent practical. Usually Deliverables are submitted to the Regional Office as a product of the 106 Grant, but not always. At times, deliverables and outputs may be the same.

The deliverables and outputs should be identified in the work plan and produced under the grant. Deliverables could include: a Non-Point Source Assessment and Management Plan, a Wetlands Conservation Plan, a brochure used for education and outreach, a report on the failure rates of on-site systems on the Tribal lands, or agendas/attendee lists from training attended.

(References to items 1 through 8 are included in Chapter 3, The *Final Guidance on Awards of Grants to Indian Tribes under the Clean Water Act for Fiscal Years 2007 and Beyond*.

9. Quality Assurance Project Plan (QAPP). All environmental data collection requires an approved QAPP prior to any field work, sampling activities, or collection of data. Tribes with an existing approved QAPP, should verify that all activities proposed in the work plan will be performed consistent with the approved QAPP. This can be accomplished either by letter or email to

your Project Officer at the start of the new grant or sixty (60) days before the expiration date of the existing approved QAPP. All correspondence regarding the QAPP should include the grant number, QAPP cover sheet and QAPP signature page. If amendments or revisions to the QAPP are needed, this letter should state that an amendment is forthcoming. QAPPs should be identified as deliverables in the work plan. All future QAPPs will be for a two year period, see Section IV, project period below.

IV. Project Period

Optional Two Year Project Period (Tribes may wish to continue annual applications and proposals). Region 6 encourages all Tribal grantees to move toward a two-year project period. A two year project period would require corresponding two year work plans and budgets for both base and the optional variable funding (i.e., base funding would be $120,000 over a two year period. Year one would have a $60k base work plan, and year two with a $60k base work plan. The optional variable funding would follow this same pattern of funding with a separate work plan).

V. Overall Budget and Budget Narrative

All work plan proposals must have corresponding tasks and budget justifying the amount of funding requested. If the optional two year project period is chosen, there must be a corresponding budget and work plan tasks for a two year period. *(See budget examples in Appendix D, Grant Budget/Budget Justification, Detailed Budget Narrative*).

VI. Other Funding Sources

Identify any other funding sources that the Tribe has or plans to pursue for funding water priorities and programs (EPA grants, grants from other Federal agencies, etc.). If similar projects or program elements are being funded with other sources, please identify how this request can be differentiated.

VII. Reporting

A) General

Every work plan should include a commitment to submit quarterly reports and a comprehensive final report. The comprehensive final report should be a complete summary of project activities including an introduction, a summary of project methods, data, a data analysis, and conclusions. If a two year project period is chosen, the 4th quarter report will be the opportunity to report project success or requesting revision of the work plan for the next year. For every level of program sophistication (fundamental, intermediate, mature) there are specific reporting requirements (*See Chapter 8, "Final Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act for Fiscal years 2007 and Beyond)."*

B) Tribal Assessment Report (TAR)

The Tribal Assessment Report (TAR), generally the same as a 305(b) report that tribal grantees have developed in previous years, has been added as a new requirement and grant condition. The TAR consists of three components: monitoring strategy, water quality assessment report, and electronic copies

of water quality data. The Tribes must submit the TAR annually, to continue receiving CWA § 106 funds. If the TAR has not yet been developed and submitted to EPA, this should be identified as an annual deliverable under the Base Program work plan.

More details on the Tribal Assessment Report can be found in The *Final Guidance on Awards of Grants to Indian Tribes under the Clean Water Act for Fiscal Years 2007 and Beyond, (i.e.,* Chapter 8).

VIII. Project Evaluation Process

According to the regulations found at 40 CFR § 35.507(b), titled ***Work Plan Requirements***, the following must be included in your work plans:

(i). The work plan components to be funded under the Grant;
(ii). The estimated work years and estimated funding amounts for each work plan component;
(iii). The work plan commitments for each work plan component and a time frame for their accomplishment;
(iv). A performance evaluation process and reporting schedule in accordance with §35.515; and
(v). The roles and responsibilities of the recipient and EPA in carrying out the work plan commitment.

Items i. through iv, are included elsewhere in this document, and item iv is described in more detail. (*See examples in Appendix E, Performance Evaluation Process*).

If your CWA § 106 Program is part of a Performance Partnership Grant (PPG) or an individual grant, you must provide the above ***Work Plan Requirements*** to the appropriate Project Officer. CWA § 106 work plans, eligible to be part of the PPG, must have separate accountable work plans and budgets.

IX. APPLICATION AND SUBMISSION INFORMATION

A. REQUEST FOR APPLICATION PACKAGES

A complete grant application must be submitted along with the work plan proposal. Completed Grant Application Forms, including SF-424 Application For Federal Assistance, SF-424A Budget Information - Non-Construction Programs, SF-424B, Assurances for Non-Construction Programs, SF-LLL, Disclosure of Lobbying Activities, Certification Regarding Lobbying, Certification Regarding Debarment and Suspension (EPA 5700-49), Pre-award Compliance Review Report (EPA 4700-4), Pre-award Compliance Report, and Contact Information, are available at http://www.epa.gov/ogd/grants/how_to_apply.htm, and by mail upon request by calling the Grants Administration Division at (202) 564-5320. (In the SF424, line 12 requires that you place in this field the Federal Opportunity Number: **R6106T**).

B. DOCUMENT SUBMISSION

Applicants must submit their application and work plan proposals in the following ways: 1) via hard copy by postal or commercial delivery service, hand delivery, or courier service to the Regional EPA contact identified in Section IX. Proposal Submission Schedule. EPA will not accept faxed submissions. All applications and work plan proposals must be prepared, and include the information, as described above, regardless of mode of submission. Three hard copies of the complete work plan proposal and application package, are required to be submitted. Pictures and/or maps may be included

as separate files using .jpg or .tif format. All documents must be received by the date indicated in Section IX. Proposal Submission Schedule below.

APPLICATION SUBMISSION SCHEDULE

The schedule for the FY 2007 CWA §106 Tribal Program proposal/award cycle is as follows:

A. Monday, May 21, 2007: Grant Application & Proposal due to EPA no later than 5:00 P.M.Central Time (CT). Proposals received after this date and time will not be considered for funding.

B. Thursday, June 28, 2007: EPA selects projects for funding and notifies all those who submitted a grant application and proposal;

C. Monday, July 30, 2007: Revised work plans and complete grant applications for selected projects due to EPA.

Please send all documents to:

Donna R. Miller
Chief, State/Tribal Programs Section (6WQ-AT)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, TX 75202-2733

If you have any questions or comments, please do not hesitate to contact the Project Officers:

Mr. George Craft at (214) 665-6684, or craft.george@epa.gov
Ms. Yulonda Davis at (214) 665-7154, or davis.yulonda@epa.gov
Ms. Mariama Dover at (214) 665-6778, or dover.mariama@epa.gov
Ms. Freda Wash at (214) 665-8342, or wash.freda@epa.gov

Appendix A Data Quality Objectives (DQOs)

Please note: If your work plan components do not include data collection activities, this section may not be necessary in the work plan. This Appendix can be used to develop the Work Plan III, and to provide information on Data Collection Activities and QAPPs. Language can be incorporated (with appropriate modifications) from the current QAPP to meet this requirement.

The following information lists the parts of the DQO process. More information on the format and content of DQOs, is available at this Web address: http://www.epa.gov/quality/dqos.html. In particular, refer to the G-4 document. A set of DQOs should be provided for each environmental data collection project. For example, if you plan to do a source water assessment and a wetlands inventory/classification project, your work plan should have two sets of DQOs. For additional information on guidance, or examples on how to develop DQOs for your environmental data collection projects, please contact your Project Officer.

Example Problem Statement - The basic question to be addressed through the planned surface water monitoring activities is, "How is the Water Quality in John-Craft Lake and its tributaries changing over time?" Point and non-point sources in the watershed continue to release pollutants into the tributaries and the lake, and the Tribal leaders and members are keenly interested in assessing the impacts of these pollutants and the chemical and biological quality of the waters, on a continuing basis.

Decision Statement - The Tribe plans to monitor key water quality parameters at specified locations and compare the monitoring results to data collected at equivalent locations in the time period 2006-2007. If the data shows statistically significant deterioration in water quality, the Tribe will accelerate efforts to work with governmental entities and non-governmental organizations (NGOs) in the watershed to identify the most significant sources of pollution and to plan initiatives to reduce pollutant loadings.

Over the longer term, the Tribe plans to continue monitoring for the selected parameters at specified locations to note trends in water quality and identify any emerging concerns.

Inputs to the Decision - The parameters that have been selected to be included in the monitoring program are as follows:

John-Craft Lake Tributaries:

E-Coli	
Total Phosphorus	Ammonia Nitrogen
Soluble Reactive Phosphorus	Nitrite plus Nitrate – N
Total Kjeldahl Nitrogen	Total Nitrogen
Total Suspended Solids	Total Volatile Solids
Temperature	Conductivity

In-Lake Water Quality Monitoring:

Total Phosphorus	Conductivity
Soluble Reactive Phosphorus	Temperature
Total Kjeldahl Nitrogen	Total Nitrogen
Nitrite plus Nitrate – N	Chloride
Ammonia Nitrogen	Total Alkalinity
Total Suspended Solids	Total Volatile Solids
Chlorophyll a	E-Coli or enterococci
Dissolved Oxygen	Macroinvertebrates

pH	Basic Habitat information
Water Temperature	Color
Turbidity	

The nutrient parameters are important to include in the project because of the relationship between loadings these substances into the Lake and the accelerated aging of the Lake. These are the key pollutants of concern in terms of degradation of the Lake. The other parameters have been selected because they are indicators of chemical water quality. The parameters to be monitored as part of this project are comparable to the parameters monitored for during the time period 2006–2007.

Study Boundaries - The geographic scope of this project encompasses John-Craft Lake and its tributaries. Sampling locations will be shown in the QAPP to be developed for the planned water monitoring work. It is anticipated that approximately 15 sampling locations will be included as part of this project.

The temporal boundaries for the study are the time period April (depending on spring thaw) - October. The spring season needs to be included because non-point source loadings are expected to occur in the spring, soon after the snow and ice melt and when rains often occur. Late summer and fall seasons should be included because stresses on the Lake are expected to be the most severe after a hot summer, with less rain, and after significant recreational use of the Lake during the summer months.

Decision Rule - Water quality data collected as part of this project will be compared with monitoring data from equivalent locations collected during the time period 2006–2007. If the data shows statistically significant deterioration in water quality, the Tribe will accelerate efforts to work with governmental entities and NGOs in the watershed to identify the most significant sources of pollution and to plan initiatives to reduce pollutant loadings.

In addition, the new data collected will be compared to relevant EPA water quality criteria to assess and/or characterize the conditions of water quality. If that data shows that water quality is not meeting numeric criteria for nutrient or chemical parameters, the Tribe will accelerate efforts to work with governmental entities and NGOs in the watershed to identify the most significant sources of pollution and to plan initiatives to reduce pollutant loadings.

Decision Errors - Decision errors include false positives and false negatives. A false positive is deciding to take an action that's really not needed. This can result in "false alarms" and unnecessary expenditures. A false negative is deciding not to take an action that really should be taken. False negatives could result in an environmental problem or public health issue, if not addressed.

The quality control systems built into the sampling and analysis program will be described in the QAPP, and should address the most significant potential errors that could be encountered. It is expected that there will be quality controls on approximately 10 percent of the samples to be collected and analyzed.

Design for Obtaining Data - A detailed sampling and analysis plan will be described in the QAPP to be developed for the planned water monitoring work.

Appendix B Work Plan

Example A Base Program for FY 2007

(Please Note: This example does not provide a complete description, however, is designed to provide a general understanding of the type of information requested).

1. Background Narrative & Water Quality Needs & Priorities. Include a **Narrative** to summarize this work plan component.

2. Budget FTE or Work Years = 1.0
(Employee title)

Estimated Cost: Federal $31,480.00
Tribal $ 9,260.00
Total $40,740.00

(These figures should cross reference with the budget. Any contract costs, equipment costs, travel costs etc., should be easily cross referenced against your budget sheet/justification).

3. Goal: Develop and implement an on-going surface and ground-water monitoring program, and build and maintain tribal capacity. Base program activities will also include review of various federal actions, participating in planning, attend training, and conference, and provide education and outreach.

4. Objective:

- By (X date), train and educate staff on water resource issues,
- Throughout the year, provide technical support to other agencies.

Activities/ Commitments:

5. Output or Activity 1: Provide technical support to Tribal Department of Natural Resources in areas that would include ambient water quality monitoring. Coordinate sampling and monitoring activities for ground water and surface water projects to be undertaken. Specify the monitoring projects for which water, benthic, air, etc. samples are to be collected.
Output 1 summary: This is where you report quarterly information.

6. Milestone or Time Frame 1: Approximately 33% of the sampling for the year will occur in the 2nd, 3rd and 4th quarters.
Milestone 1 summary: insert report quarterly information here

7. Outcome 1: As a result, the Tribe has updated data sets to be shared with local agencies to help partnership with watershed protection and designated uses.
Outcome 1 summary: report of quarterly information here

8. Deliverable 1: Report sampling results in a narrative and evaluative format, identifying problems, trends, etc., as well as next steps with conclusive findings for the quarter or project period.
Deliverable 1 summary: report of quarterly information here.

Or Summarize quarterly accomplishments in a paragraph for activity 1: Not all base programs will allow listing activities as specifically as outlined above. In some cases, it may be more reasonable to group outputs, milestones, outcomes, and deliverables with the same or similar results. Summarize grant progress report narrative to EPA Region 6 for each quarter. Each quarter should include: A summary of the **output** (activity/task) conducted, **milestone** achieved or not, **outcome** (result) for the report period and status of **deliverable**, gains and/or shortfalls and a budget update if needed.

Repeat for each output, milestone, outcome, and deliverable as 5-8 above.

Output or Activity 2: Conduct community education and outreach related to the water resources. Be as specific as possible. For example, explain the specific areas you will focus on of the Reservation to the Tribal members.
Output 3 summary: report of quarter information here.

Milestone or Time Frame 2: Specify the kind and number of outreach project(s) planned, describe the activities included in each and provide a timeframe of steps and/or estimated completion date. *Milestone 3 summary: report of quarter information here.*

Outcome 2: The Department of Natural Resources will provide outreach to grades 2-12.
Outcome 1 summary: The Department of Natural Resources has been making presentations to the second grade class for 10 years. As a result 100% of all the students in grades 2-12 are now better informed on (this topic) and 18 second grade students have a better knowledge of how to protect Tribal waters.

Deliverable 2: Watershed puzzle and poster for second grade class.
Deliverable 2 summary: Provide copies of material developed.

Deliverable 2A: Developed an evaluation form for the class presentation to evaluate the class knowledge level before and after the presentation.
Deliverable 2A summary: An evaluation form and/or results are provided.

Output or Activity 3: Attend training on topics, such as EPA grant programs, statistics and data analysis, and other topics to continue to build the capacity of staff to carry out the Water Resources Program and provide service to Tribal leaders and members.

Milestone or Time Frame 3: Estimate the number and kind of training to be attended, when, and by what staff.
Milestone summary 3:

Outcome 3: One staff person will be trained to manage the grant and another to act as back-up to ensure consistency.

Outcome 3 summary: The Department of Natural Resources now has 50% of their staff trained in this topic. As a result the DNR now has one full time staff trained to manage this grant and one staff person as a back-up.

Deliverable 3: Report training attended, when it will be attended, who was trained, and a brief paragraph summarizing the main points presented in the training.
summary:

Deliverable 4: Tribal Assessment Report (TAR) as required by the Tribal Guidance
Outcome: Report will be submitted as required.

9.) Quality Assurance Project Plan (QAPP)

Indicate whether this work plan component requires a QAPP. Please see Section III Work Plans, Data Collection Activities/Projects, and *EPA Region 6 Water Division Clean Water Act Section 106 Request for Work Plans*.

Appendix B **Work Plan Components**

Example B **Variable Program:**
CWA § 401 Certification for FY 2007

(Please Note: This example does not provide a complete description, however, is designed to provide a general understanding of the type of information that is requested).

1. Background Narrative & Water Quality Needs & Priorities. Include a **Narrative** to summarize this work plan component.

2. Budget: Variable Program: CWA § 401 Certification for FY 2007

FTE or Work Years = 0.75 (Employee 1 title)

FTE or Work Years = 0.3 (Employee 2 title)

Estimated Cost: Federal $21,880.00
Tribal $ 1,152.00
Total $23,032.00

(These figures should cross reference with the budget. Any contract costs, equipment costs, travel costs etc. should be easily cross referenced against your budget sheet/justification).

3. CWA § 401 Certification Goal: The Looking Glass Indian Community will review certification of proposed federal permits and licenses for activities on reservations and tribal trust lands which may impact water quality. This activity will focus primarily on CWA § 404 permits issued by the U.S. Army Corps of Engineers, which includes permits for individual activities and nationwide permits). This activity also focuses on permits issued by EPA under the National Pollutant Discharge Elimination System (NPDES), permits for individual wastewater facilities and general permits for activities such as storm water or confined animal feeding operations and other federal permits and licenses.

4. Certification Program Objective: Coordinate with tribal leaders and other offices as needed to respond to requests with:

Objective 1: Issue of CWA § 401 certifications (with or without conditions needed to support water quality standards);

Objective 2: Deny CWA § 401 certifications and modifications (if applicable) that would be needed to support water quality standards;

Objective 3: Take action to waive CWA § 401 certifications.

5. **Output or Activity 1-3**): review and report all requests for this fiscal year
Output -1-3 summary: This is quarterly report information.

6. **Milestone or Time Frame 1**: Estimate the number of requests for CWA § 401 certification over the project period (such as two per quarter). The actual number will be identified in quarterly progress reports.
Milestone 1 summary: Continue with quarterly report information.

7. **Outcome 1**: Federal permits include conditions needed to meet water quality standards for tribal waters.
Outcome 1 summary:

8. **Deliverable 1**: Report on the requests for CWA § 401 certification which were actually reviewed. (A suggested format is a table with four column headings: "Permit applicant, date received, tribal action (certify, deny, waive), and date of action."
Deliverable 1 summary: quarterly report of information.

Or Summarize quarterly accomplishments in a one paragraph for activity 1: Not all Base Programs will allow listing activities as specifically as outlined above. In some cases, it may be more reasonable to group outputs, milestones, outcomes, and deliverables with the same or similar results. Insert grant progress report narrative to EPA Region 6 for each quarter that includes: a summary of the output (activity/task) conducted; milestones achieved or not or not accomplished; outcome (result) for the report period and status of deliverable, gains and shortfalls.

9. Quality Assurance Project Plan (QAPP)

Indicate whether this work plan component requires a QAPP. Please see Section III, Work Plans, Data Collection Activities/Projects, *EPA Region 6 Water Division Clean Water Act Section 106 Request for Work Plans*.

Appendix B **Work Plan Component**

Example C Outreach and Education (Non-Data Collection Activities)

1. Background Narrative & Water Quality Needs & Priorities. Include a **Narrative** to summarize this work plan component.

2. Budget: Community Education on Water Resources:

Estimated Cost: Federal	$1,880.00	FTE or Work Years = 0.15
Tribal	$1,152.00	FTE or Work Years =0.25
Total	$3,032.00	(Employee 1 title)
Estimated Cost: Federal	$1,880.00	FTE or Work Years 0.25
Tribal	$1,152.00	(Employee 2 title)
Total	$3,032.00	

(These figures should cross reference with the budget. Any contract costs, equipment costs, travel costs etc., should be easily cross referenced against your budget sheet/justification).

3. Outreach and Education Goal: The Reservation's education goal is to include a water resources component in all high school curriculums by 2011.

4. Outreach and Education Objective: The Community is concerned with restoring impacted waters resources to promote integrity of the Reservation waters and providing education to the Community on water recourses conservation**.** We begin our efforts by meeting with the school and educating the school board about water quality, wetlands protection, groundwater, and pollution prevention. This aspect will be incorporated into each classroom curriculum as outlined for this grant cycle.

Outreach and Education Activities/Commitments:

5. **Output or Activity 1** (related to objective): Public education and outreach will be accomplished by participating in or hosting activities such as 1) making educational presentations at public events, 2) preparing educational displays for public events, 3) preparing and distributing educational material, 3) educating the Community on water resource protection. *Output 1 summary: This is quarterly report information.*

6. Milestone or Timeframe 1: 1st Quarter- Meet with School Board during December 2007 meeting. Will request to be on agenda every other meeting; usually every other month.
Milestone 1 summary: Continue with quarterly report information.

7. **Outcome 1:** Attend the first school board meeting and report what interest was shown from the Board and parents attending.

Outcome 1 summary: Water Director attended the first school board meeting. All Board members showed an interest in continuing and asked that we return for the next meeting. Three parents volunteered to assist with curriculum design.

8. **Deliverable 1**: Will provide an example of designed curriculum at the end of the first grant period, or September 2008.
Deliverable 1 summary: Deliverable will be provided in September 2008.

Or Summarize quarterly accomplishments in a one paragraph for activity 1: Not all Base Programs will allow listing activities as specifically as outlined above. In some cases, it may be more reasonable to group outputs, milestones, outcomes, and deliverables with the same or similar results. Insert grant progress narrative to EPA Region 6 for each quarter that includes: a summary of the output (activity/task) conducted, milestone achieved or not, outcome (result) for the report period and status of deliverable, gains and shortfalls.

9. Quality Assurance Project Plan (QAPP)

Explain whether this work plan component requires a QAPP. Please see Section III Work Plans, Data Collection Activities/Projects, *EPA Region 6 Water Division Clean Water Act Section 106 Request for Work Plans*. If project activities require a QAPP, please provide the status. (Revising, approved, etc.).

Appendix C Reporting Outcomes in the 106 Work Plan

There are two major types of Outcomes that can be reported CWA § 106 work plan: **End Environmental Outcomes** and **Intermediate Outcomes.**

END ENVIRONMENTAL OUTCOME:

End Environmental outcomes are the desired end or ultimate results of a project or program. They represent results that lead to environmental/public health improvements. End environmental outcomes must be quantitative and may not necessarily be achievable during the assistance agreement funding period. A change in water quality and resultant change in human health or environmental impacts are examples of End Outcomes.

INTERMEDIATE OUTCOME:

Intermediate Outcomes are expected to lead to end environmental outcomes but are not themselves "ends." Intermediate Outcomes can be stated as changes in the Tribe's: environment [verifiable improvements]; behavior [verifiable improvements as a result of skill development, such as training]; health-related [verifiable improvements]; or, programmatic in nature [development or improvement in a specific environmental program].

The End Environmental Outcomes may not occur until after the assistance agreement funding period. However, Intermediate Outcomes realized during the funding period are an important way to measure progress in achieving End Environmental Outcomes. Intermediate Outcomes must be quantitative and achievable during the assistance agreement funding period. You may choose to identify whether the Outcomes listed in the work plan are End Environmental Outcomes or Intermediate Outcomes.

Appendix D Examples: Budget Justification, Object Class Budget

Budget Narratives

Note: Actual Budget Amounts may not calculate.

Attachment 1

CWA §106 Grant Budget/Budget Justification

I. OBJECT CLASS BUDGET

OBJECT CLASS CATEGORIES	PROPOSED BUDGET FY 2006
1. PERSONNEL	$108,064
2. FRINGE BENEFITS	$34,583
3. TRAVEL	$9,130
4. EQUIPMENT	$10,000
5. SUPPLIES	$6,500
6. CONTRACTUAL	$22,000
7. CONSTRUCTION	N/A
8. OTHER	$11,592
9. TOTAL DIRECT CHARGES	$201,869
10. INDIRECT CHARGES	$13,051
FEDERAL SHARE	**$214,920**
NON-FEDERAL SHARE	**$15,448**

II. BUDGET NARRATIVE

Line Items	Federal Share (FS) or In Kind (IK)	Cost
1. PERSONNEL:		
Water Projects Coordinator	FS	$34,040.00 *
Wetlands Specialist	FS	$40,036.00
Watershed Specialist	FS	$33,988.00
Environmental Program Manager	IK	$ 9,049.00
GIS Specialist (3%)	IK	$ 1,140.00

* 25% of WPC salary will be covered under new §XYZ program grant

2. FRINGE @ 32%:

Water Projects Coordinator	FS	$10,895.00 *
Wetlands Specialist	FS	$12,812.00
Watershed Specialist	FS	$10,876.00
Environmental Program Manager	IK	$ 2,895.00
GIS Specialist	IK	$ 364.00

*25% of WPC fringe will be covered under new § XYZ program grant

3. TRAVEL/TRAINING (see breakdown of costs)

Water Projects Coordinator		
1 trips to Chicago/other regional training	FS	$ 1,328.00
1 National conferences/training	FS	$ 1,985.00
4 day trips to Capital City	FS	$ 588.00
Wetlands Specialist		
1 trips to Chicago/other regional training	FS	$ 1,328.00
1 National conferences/training	FS	$ 1,985.00
4 day trips to Capital City	FS	$ 588.00
Watershed Specialist		
1 trips to Chicago/other regional training	FS	$ 1,328.00

4. EQUIPMENT FS $10,000.00

In FY 2006, include ½ cost of new pickup truck; cost will be shared with GAP

5. SUPPLIES (see breakdown of field supplies costs)

General office supplies	FS	$ 1,250.00
Laboratory supplies	FS	$ 1,250.00
Field supplies	FS	$ 4,000.00

6. CONTRACTUAL (see breakdown of cost below) FS $22,000.00

7. CONSTRUCTION (NOT APPLICABLE)

8. OTHER (see breakdown of costs below) FS $ 11,592.00

IK $ 2,000.00

9. TOTAL DIRECT CHARGES FS $201,869.00

10. INDIRECT COSTS (9.15% on salary and fringe) FS $ 13,051.00

BREAKDOWN OF TRAVEL COSTS:

Trip to Dallas, Texas, or other regional training:

Hotel for three nights @ $120.00/night	$ 360.00
Per Diem for 12 quarters @ $11.50/quarter	$ 138.00
Airfare @ $800.00/trip	$ 800.00
Taxi, Parking, Other	$ 30.00
Total	**$1, 328.00**

National Conference/Training:	
Hotel for five nights @ $95.00/night	$ 475.00
Per Diem for 20 quarters@ $10.50/quarter	$ 210.00
Airfare @ $900.00/trip	$ 900.00
Car Rental/Other	$ 400.00
Total National Trip	**$1,985.00**

Day Trip to Capital City:	
Mileage @ 300 x $0.375	$112.50
Per Diem for 3 quarters @ $11.50/quarter	$ 34.50
Total for Day Trip	**$147.00**

BREAKDOWN OF FIELD SUPPLIES COSTS

Gas & maintenance, 2 vehicles	FS	$2,500.00
Other	FS	$1,500.00

BREAKDOWN OF CONTRACTUAL COSTS

ABC Labs (nutrients, general chemistries)	FS	$13,000.00
NFLL (chlorophyll *a*, algal scans)	FS	$ 5,000.00
NFLL (benthic invertebrate taxonomy)	FS	$ 3,000.00
UIC (macrophyte taxonomy)	FS	$ 1,000.00
Total	FS	**$22,000.00**

BREAKDOWN OF OTHER COSTS

Phone: $47.00/month x 3 staff x 12 months	FS	$ 1,692.00
Fax estimated: $500.00/year x 3	FS	$ 900.00
Shipping and postage estimated:	FS	$ 1,000.00
Long distance charges estimated:	FS	$ 3,000.00
Space charges:	FS	$ 5,000.00 *

*The Tribe's approved space charges are defined as $7 per square foot. The three FTEs under this grant share office space of 195 square feet in the Resource Management building. In addition, the Office of Water Protection shares laboratory space of 306 square feet with the tribal Air Program. This space usage could justify charges of $16,380 per year for the office space, and a portion of the $25,704 lab space charges.

Use of existing 16' motorized boat	IK	$ 2,000.00
Total	FS	$11,592.00

Detailed Budget Narrative Justification (FY 2007) - Example

Personnel and Fringe

The budgeted amount under salary and fringe will cover a 1.0 FTE biologist position, 1.0 FTE wetlands specialist position, and 1.25 FTE water quality technician positions under the base

water and wetland program. The remaining portions of the positions will be paid out of other grant or project funds. The primary responsibility of these positions under this grant will be to carry out the work-plan outlined above and assist with preparing and submitting quarterly and annual reports to the Project Officer. Total salary and fringe for the period is estimated at $101,700.

Travel
The budgeted amount under travel will cover mileage, per diem and lodging to attend pertinent meetings and training seminars associated with work outlined above. The total estimated travel budget is $1,500.

Office/Field Supplies and Equipment < $5000
Office and field supplies that are specific to the waters and wetland programs may include; GIS mapping supplies, pH and conductivity calibration solutions, sample containers, preservatives, bottles, life jackets, experimental nets, labels, etc. The purchase of the ARC/INFO license, software and aerial photography is also included in this line item. The line item for the NPS Reduction Education Project to cover educational activities such as the annual groundwater festival, informational brochures, ads, etc. is estimated at $2,500 for FY07. A total of $3,456 has been budgeted to purchase two new computers and printers - one to purchase a notebook computer to allow the wetland program to use ARC/GIS at meetings and presentations. The other computer will replace an old water program computer used for data entry and analysis. $1,475 was budgeted to purchase additional stream gauge equipment (solar panels, modems, sample bottles, etc.). Lastly, $10,450 was set aside for miscellaneous field and lab equipment as part of our base water and wetland programs to replace small equipment such as DO probes, pH meters,

plotter pens, etc. The above equipment is necessary to carry out project objectives and compliments, not replace, all other equipment purchased with CWA 106 funds. The total office and field supply budget for the period is $6,555.

Repairs and Maintenance
Includes costs associated with vehicles, lab, and field equipment repair and maintenance (gas, oil, scheduled services, repairs, etc.) The total budget for the period is $ 4,445.

Contract Services
Costs include $4,000 to prepare the annual monitoring well report required under 40 CFR 258 and $ 3,140 to cover base water and biological sample analysis. Although most of the biological samples will be enumerated and identified in-house, 10-20% will be checked by an independent source as part of our quality assurance plan. All of the water samples will be contracted out for analysis. $1,500 has been budgeted to cover software training, statistical data analysis and consultation to assist with the detailed statistical analysis of lake and stream biological data. The total for contract services is $8,440.

Equipment (> $5000)
A total of $5,624 was budgeted to purchase Acoustic Doppler Flowmeters for the Racoon River.

Other
The Coffee Bean DNR pooled direct costs are estimated to be $33,848 (13.5% of salary plus fringe) and the Coffee Bean DNR pooled direct facilities costs, based on square footage of office space, are estimated to run $29,154. The Coffee Bean DNR administrative and facility direct cost pools were implemented upon a recommendation of the OIC Auditors to better reflect office space allocation and other shared expense costs. Pool costs include necessary office supplies such as normal desktop

supplies (pens, pencils, paper clips, etc.), computer paper, toner, file folders, photo copier services, a new chair and desk and related repair and maintenance of existing office equipment

Indirect Costs(IC) / Tribal Match
The current Tribal I.C. rate is 11.0%. The Tribal I.C. rate is calculated based on the federal share less contract services and equipment costs < $5000. The total indirect cost line item is $33,635.

The Tribal match for the project is 5% which includes vehicles, equipment, salary, fringe, etc. paid by the Band with non-federal funds. Actual match values will be recorded at the close of the grant. The Tribal in-kind match for the project totals $4,632.

FY07 Total Project Cost (Federal + Indirect + Tribal match) = $XXX,XXX

Appendix E Project Evaluation Process

Evaluation Plan - Example A

The Environmental Office (EO) will comply with the requirements for progress reporting under 40 CFR 31.40(b) by providing EPA Region 6 with quarterly evaluations and an annual evaluation that includes the following elements:
1. discussion(s) of accomplishments as measured against work plan commitments;
2. discussion(s) of the cumulative effectiveness of the work performed under all work plan components;
3. discussion(s) of existing and potential problem areas;
4. suggestion(s) for improvement, including, where feasible, schedules for making improvements.

Note: For grants with a project start date of October 1, 2007, Quarterly Progress Reports are due: January 31; April 30; July 31; and October 31.Comprehensive Final Progress Reports, and other Final Reports are due on December 31, or ninety days after the grant project period end date.

The joint evaluation (the Tribe in consultation with EPA Region 6), will result in assuring that the Tribal Environmental Office will make reasonable, sufficient progress under the work plan. The EO will provide quarterly grant progress reports to the Region 6 Project Officer, and at the end of the fiscal year, will include a self-assessment as described above, including any necessary work plan amendments. The EPA Region 6 will provide a timely review, respond to the Self-Assessment and communicate with the Tribal Environmental Program to resolve any outstanding issues.

Project Evaluation Process - Example B

The current evaluation process involves quarterly and annual reports. An update on the identification of problems relating to the completion of objectives is usually provided in the progress reports, and has been a key component to successful water quality sampling. The specific outputs, or progress, are provided with the yearly grant report (i.e. GIS maps, water resource report).

This second component of the evaluation process includes the review and approval of the final deliverables submitted to the EPA Region 6. This will be necessary to close out the grant project.

The performance report will contain brief information on the following:
1. Comparison of actual accomplishments to the objectives established for the period.
2. Reasons for slippage if established objectives were not met.
3. Additional pertinent information including analysis and explanation of cost overruns or high unit costs.

Appendix F Match Requirement

There is a 5 percent (5%) match requirement for the CWA § 106 Program. The numbers provided in Part 424A Budget Categories and Budget Justification should include the **Total Project Costs,** (EPA Federal funds plus Tribal match) needed to carry out the activities described in your work plan. If the work plan and budget can be fully funded, EPA would pay 95% of these costs, and the Tribe would pay 5%.

Example: EPA Federal Amount = $60,000.00
Total Project Cost = $60,000.00 ÷ .95 = $ 63,158.00
Tribal Amount (Match) = $63,158.00 x .05 = $ 3,158.00

Note if you determine an EPA grant amount, and then multiply that by .05, you will not have the correct match for your grant.

Tribes may use In-Kind contributions to meet the match requirements. For example, if the water program staff have offices in a building paid by the Tribes, the estimated dollar value for the use of this office space may be counted as part of the Tribe's match. Note: Include the estimated dollar value for this cost/match in the Object Class Budget. Similarly, if the Tribe owns a boat (not paid by another EPA grant) and the Water Resource Specialist uses this boat in conducting sampling, the estimated dollar value for the use of this boat may be counted as part of the Tribe's match. If you have any questions regarding what can be included as part of your match, please contact your Project Officer.

Another formula:

$$\frac{\text{Federal Share}}{.95} = 100\% - \text{Federal Share} = 5\% \text{ match}$$

Appendix G

Tribal Program Status Report Checklists:
- Program Initiation, Planning, and Administration -
- Monitoring, Data Management, and Data Assessment and Analysis -
- Reporting -

Overview: These checklists will help you develop an understanding of the complexity level of each tribe in your region that has developed or is currently developing a water quality program. EPA's *Guidance on the Awards of Grants to Indian Tribes Under Section 106 of the Clean Water Act* (the Guidance) describes the activities that tribes are expected to undertake as part of: program initiation, planning, and administration (see chapter 3); monitoring, data management, and data assessment and analysis (see chapter 4); and reporting (see chapter 8). These checklists cover activities that are an integral part of every water quality program, regardless of the program's approach. The activities in each of these areas are classified in three levels of complexity: fundamental, intermediate, and mature.

Instructions: Each checklist displays a list of general activities that EPA expects tribes may undertake in developing and implementing a water quality program, according to complexity level. The more specific components of each activity are listed under "Sub-Activity Considerations." Note that these sub-activities are general steps that tribes may take as part of an activity. However, some tribes may approach each activity in a different manner and may undertake sub-activities that are not listed in these checklists. Where possible, try to find the sub-activity listed that most closely matches the activity the tribe is undertaking and classify it accordingly. If no similar sub-activities are listed, you should contact other EPA regions or EPA Headquarters for guidance.

As you review the list of activities and sub-activities, make a note in the "Status/Impediments" column to indicate the status of each sub-activity (e.g., "Completed November 2006," "Anticipated in 2007," "Not Applicable," etc.). In the same column, you may also include notes on any obstacles or additional relevant information (e.g., whether the tribe is planning to use a different approach to achieve the same result). A section for additional comments and discussion may be found on page 10.

In addition, complete the relevant program approach checklists (checklists 4a, 4b, or 4c) for each tribal water quality program. The Guidance describes three approaches: non-regulatory (see chapter 5); tribal law water quality protection (see chapter 6); and EPA-approved water quality protection (see chapter 7). Completing the program approach checklist in conjunction with the three checklists below will provide a comprehensive picture of each tribe's water quality program. Like the program initiation, monitoring, and reporting checklists, the activities listed in checklists 4a, 4b, and 4c are divided according to complexity level.

Considerations: While EPA expects tribal programs to progress and become more complex over time, the Agency understands that tribal programs may develop at different rates. Also, keep the following in mind:

- Most tribal water quality programs will likely be performing a mix of fundamental, intermediate, or mature activities.
- Some activities will be more effective for some tribes than others; if a tribe is not undertaking the majority of the activities under the intermediate or mature levels, this should not necessarily be interpreted as an indication of the program's full capabilities.
- Because tribal programs develop at different rates, it may not be possible to classify tribes or tribal activities squarely under one complexity level. In this case, you may decide that the tribe is currently at a "mixed" complexity level.
- There are some activities that should not affect your assessment of the tribe's complexity level. Generally, these activities are prefaced with "If desired" or "Considers."

Tribe: _____ EPA Region: _____

Assessment Date: _____ Completed By: _____

Checklist 1: Program Initiation, Planning, and Administration			
Assess the administrative activities associated with implementing a tribal water quality program. These activities apply to all tribes, regardless of their chosen programmatic approach (i.e., non-regulatory, tribal law, or EPA-approved).			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
Fundamental	Section 106 TAS Eligibility Application	➢ Submits all required elements of the application	
		➢ Receives Section 106 TAS eligibility	
	Financial Management System	➢ Implements adequate grant expenditures tracking and accounting procedures	
		➢ Maintains adequate books and records, uses appropriate budgeting, accounting, and financial planning methods, and manages financial resources effectively	
	Section 106 Funding	➢ Demonstrates an understanding of grant application requirements	
		➢ Works with the EPA region to develop an effective work plan	
		➢ Develops outputs and outcomes and effectively links goals with EPA's Strategic Plan	
		➢ Demonstrates an understanding of 106-allowable activities	
	Identify Basic Water Resources	➢ Identifies and uses available and relevant internal and external resources (e.g., existing tribal data, and federal and state databases) to help identify water resources	
		➢ Develops a thorough inventory of water resources	
	Identify Tribal Needs	➢ Assesses the environmental condition of water resources (e.g., develops a baseline assessment)	
		➢ Identifies previous assessments conducted on water resources and uses them to determine and prioritize needs	

Checklist 1: Program Initiation, Planning, and Administration			
Assess the administrative activities associated with implementing a tribal water quality program. These activities apply to all tribes, regardless of their chosen programmatic approach (i.e., non-regulatory, tribal law, or EPA-approved).			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
		➢ Determines what financial resources are needed to address these needs	
	Program Objectives and Goals	➢ Develops goals that adequately address identified needs	
		➢ Develops objectives that will help achieve goals	
	Program Staff Hiring and Training	➢ Has sufficient staff to begin to address water quality needs	
		➢ Identifies specific areas in which staff training is required and provides training accordingly	
		➢ Adequately trains staff in all relevant areas (e.g., monitoring, quality assurance, data management, Section 106 requirements)	
		➢ Seeks available training resources (e.g., EPA or AIEO training)	
	Using Contractors	➢ If desired, hires contractors to meet needs if program staff are unable to complete all fundamental activities described above	
	Program Milestones	➢ Develops milestones adequate to determine progress in achieving goals	
		➢ Demonstrates ability and commitment to meet milestones	
	Work Plan	➢ Work plan reflects all negotiations between the tribe and the project grant officer	
		➢ Maintains consistency and continuity in subsequent work plans	
	Community Education and Outreach	➢ Keeps community informed on development and progress of water quality program	
		➢ Involves local volunteers in program development and implementation	
	Financial and Performance Reporting	➢ Includes all required information (listed in 40 CFR 31.40(b)) in progress reports	
		➢ Adequately explains in progress reports how activities performed under the 106 work plan address water quality needs	

Checklist 1: Program Initiation, Planning, and Administration			
Assess the administrative activities associated with implementing a tribal water quality program. These activities apply to all tribes, regardless of their chosen programmatic approach (i.e., non-regulatory, tribal law, or EPA-approved).			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
		➢ Submits Assessment Reports, as required	
		➢ Meets any additional regional reporting requirements	
	Performance Evaluation	➢ Works with the EPA region to develop a process for evaluating work plan progress and accomplishments	
		➢ Evaluation determines that the program is successfully working towards established goals	
		➢ Through evaluation, identifies and addresses areas for improvement	
		➢ Establishes a process for and/or conducts a program-wide self-evaluation of the program; solicits feedback from the EPA region in doing so	
	Multi-year Plan	➢ Following the program evaluation, develops a multi-year plan	
		➢ Plan reflects a reassessment of program objectives and goals	
		➢ Plan describes fundamental long-term programmatic goals	
Intermediate	Other EPA Funding Opportunities	➢ If desired, seeks EPA funding for non-106 eligible activities that will support program's goals and objectives	
	Additional, Enhanced Staff Training	➢ Continues to seek training opportunities for staff as the program develops	
		➢ Trains multiple staff members to ensure that not all expertise is lost when one staff member leaves	
	Continuing Contractor Use	➢ If desired, retains contractors to provide assistance on more complex activities	
		➢ In-house staff can perform fundamental activities with little or no contractor assistance	
	Reassess Program Objectives and Goals	➢ As programmatic milestones are reached, evaluates the program's status and results and reassesses program objectives and goals accordingly	
		➢ Accounts for environmental results and goals in the reassessment process	

Checklist 1: Program Initiation, Planning, and Administration			
Assess the administrative activities associated with implementing a tribal water quality program. These activities apply to all tribes, regardless of their chosen programmatic approach (i.e., non-regulatory, tribal law, or EPA-approved).			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
	Enhanced Community Education and Outreach	➢ Expands and focuses outreach efforts (e.g., distributing informational brochures, holding public meetings, developing a Web site)	
		➢ Increases community awareness of the program as a result of outreach efforts	
	Additional Program Evaluations	➢ Continues to conduct joint evaluations with the EPA region	
		➢ Based on evaluation findings, makes programmatic improvements or revises goals and priorities as necessary	
Mature	Federal Funding Outside EPA	➢ If desired, actively seeks non-EPA funding to expand and strengthen program	
		➢ Receives non-EPA funding for water quality program	
	Continuing Contractor Use	➢ In-house staff is capable of performing all fundamental and intermediate activities, with minimal or no contractor assistance	
	Expanded Community Outreach and Public Awareness Program	➢ Expands outreach program to increase public awareness of broader environmental issues such as human health concerns, management measures, and pollution prevention.	
		➢ Forms volunteer groups to conduct some program activities (e.g., monitoring)	
	Additional Program Evaluations	➢ Evaluations ensure that tribal water quality goals are aligned with and support EPA's national water quality objectives	
	Mentoring	➢ Shares expertise on technical, financial, and administrative aspects of program management with other tribes and local governments	
		➢ Builds relationships with other local communities to support other water quality and related programs (e.g., pesticide management)	
	Partnering with Other Organizations	➢ Cooperates with other parties (e.g., neighboring tribes or states) to share information, maximize resources, and meet goals	

Checklist 2: Monitoring, Data Management, and Data Assessment and Analysis			
Assess the data collection, management, and assessment activities associated with implementing a tribal water quality program. These activities apply to all tribes, regardless of their chosen programmatic approach (i.e., non-regulatory, tribal law, or EPA-approved).			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
Fundamental	Monitoring	➢ Collects all existing data on tribal water resources and identifies any data gaps	
		➢ Uses data to develop monitoring program objectives that will help achieve goals and strategies; considers overall program goals when doing so	
		➢ For each objective, identifies its importance, the data that will be used to meet the objective, and who will use the data	
		➢ Develops monitoring design that meets monitoring objectives and sets the frequency of monitoring, water bodies that will be monitored, sampling parameters, and how information will be used	
		➢ Defines indicators to be used to assess water quality (including required fundamental parameters—dissolved oxygen, pH, water temperature, and turbidity), frequency of monitoring, and monitoring sites	
		➢ Establishes standard operating procedures (SOPs) for parameter monitoring	
		➢ Develops and receives EPA approval for Quality Assurance Project Plan (QAPP), including data quality objectives (DQOs)	
		➢ If necessary, establishes arrangement (including defining SOPs) with outside laboratory for sample analysis	
		➢ Incorporates monitoring results into community outreach efforts	
	Data Management	➢ Records metadata (location, time, conditions of sample collection, etc.) for all monitoring events, using EPA template or equivalent	
		➢ Shares data with all relevant parties (e.g., EPA, other tribal entities)	
		➢ Demonstrates an understanding of the importance of metadata (e.g., to validate results, understand how to improve water quality, maintain consistent records, and establish new goals)	
		➢ Electronically organizes, summarizes, and manipulates monitoring data (e.g., through electronic spreadsheets)	
		➢ Develops data management and review procedures (e.g., verifying lab data accuracy, data entry, data evaluation and report generation, data review, backing up data); incorporates procedures into QAPP	

Checklist 2: Monitoring, Data Management, and Data Assessment and Analysis			
Assess the data collection, management, and assessment activities associated with implementing a tribal water quality program. These activities apply to all tribes, regardless of their chosen programmatic approach (i.e., non-regulatory, tribal law, or EPA-approved).			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
		➢ Submits data to EPA according to established schedule and agreed-upon format	
	Data Assessment and Analysis	➢ Assesses and analyzes data (includes evaluating performance, systems, and data quality; taking corrective action; understanding what data says about water quality; and, evaluating the need for additional data)	
		➢ Meaningfully displays data to communicate its importance internally and throughout the community	
		➢ As necessary, incorporates supplementary data from other sources to better understand the condition of tribal water bodies (and the guidelines for using additional data are outlined in the tribe's QAPP)	
		➢ Demonstrates an understanding of the primary causes of water quality problems or impairment	
	Initiating Mitigation Measures	➢ Initiates action to address identified causes and sources of water problems (e.g., implemented management measures)	
Intermediate	Monitoring	➢ Modifies monitoring goals and objectives (and QAPP and SOPs, as necessary) as program goals are changed or refined	
		➢ Monitoring goals and objectives support those of EPA's Clean Water Act	
		➢ Changes monitoring design to reflect modified goals and objectives	
		➢ Expands the number of water quality indicators being monitored	
		➢ Considers or implements new monitoring design approach (e.g., introducing probability-based monitoring)	
		➢ Monitoring designs increase in complexity (e.g., different designs applied to different water bodies)	
		➢ Conducts targeted, specialized studies to further investigate areas of particular concern	
		➢ Mentors other tribes regarding monitoring activities (i.e., tribes training tribes)	
	Data Management	➢ Upgrades data management tools (e.g., hardware and software) as needed and as new and improved tools become available	
		➢ Updates data management systems to account for increased monitoring design complexity and additional WQI monitoring	

Checklist 2: Monitoring, Data Management, and Data Assessment and Analysis			
Assess the data collection, management, and assessment activities associated with implementing a tribal water quality program. These activities apply to all tribes, regardless of their chosen programmatic approach (i.e., non-regulatory, tribal law, or EPA-approved).			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
		➢ Considers developing capability to submit data directly to STORET	
		➢ Develops ability to graph data	
	Data Assessment and Analysis	➢ Periodically evaluates whether monitoring data will help achieve goals and adjusts monitoring design and goals accordingly	
		➢ Periodically evaluates data to determine whether overall water quality is improving	
Mature	Understanding and Using EPA's "*Elements*" Guidance	➢ Water quality program includes most or all elements outlined in EPA's *Elements of a State Water Monitoring and Assessment Program*	
		➢ Expands program to include any elements currently lacking	

Tribal Program Status Report Checklists:
- Nonregulatory Approach -
- Tribal Law Water Quality Protection Approach -
- EPA-Approved Water Quality Protection Approach -

Overview: EPA's *Guidance on the Awards of Grants to Indian Tribes Under Section 106 of the Clean Water Act* (the Guidance) describes three general approaches to water quality protection. The three checklists below (4a, 4b, and 4c) will help you assess the current status of each tribal water quality program based on the specific approach being used. The approaches include:

- The *nonregulatory approach*, which does not require development of water quality standards (checklist 4a). Tribes using this approach can achieve results through voluntary and collaborative activities, with a strong emphasis on non-point source (NPS) control, non-structural management measures, source water protection, and watershed-based planning. This approach may be most appropriate for tribes who are not interested in pursuing enforcement activities or do not view enforcement as their best means of controlling water pollution. See chapter 5 of the Guidance for more information.

- The *tribal law water quality protection approach*, which is based on pursuing standards and goals that can be adopted under tribal law (checklist 4b). Tribes using this approach can define their own regulatory priorities and identify impaired water bodies, propose solutions, and develop water quality reports that meet EPA's reporting requirements. EPA retains responsibility for issuing federal permits and establishing federally enforceable permit limits. See chapter 6 of the Guidance for more information

- The *EPA-approved water quality protection approach*, under which tribes develop and establish EPA-approved water quality standards (WQS) (checklist 4c). WQS establish water quality goals for a specific surface water body and serve as the basis for establishment of water quality-based controls. This path requires tribes to obtain an eligibility Status from EPA and to obtain EPA approval for the surface water quality standards that the tribe adopts. Tribes using this approach may be able to more effectively protect cultural or traditional uses of water bodies. See chapter 7 of the Guidance for more information

Instructions: For each tribal water quality program in your region, complete the applicable checklist. Each checklist displays a list of general activities that EPA expects tribes may undertake in developing and implementing a water quality program, according to complexity level. The more specific components of each activity are listed under "Sub-Activity Considerations." Note that these sub-activities are general steps that tribes may take as part of an activity. However, some tribes may approach each activity in a different manner and may undertake sub-activities that are not listed in these checklists. Where possible, try to find the sub-activity listed that most closely matches the activity the tribe is undertaking and classify it accordingly. If no similar sub-activities are listed, you should contact other EPA regions or EPA Headquarters for guidance.

As you review the list of activities and sub-activities, make a note in the "Status/Impediments" column to indicate the status of each sub-activity (e.g., "Completed November 2006," "Anticipated in 2007," "Not Applicable," etc.). In the same column, you may also include note about any obstacles and additional relevant information (e.g., whether the tribe is planning to use a different approach to achieve the same result). A section for additional comments and discussion may be found on page 15.

In addition to completing the relevant programmatic approach checklist for each tribe, complete Checklists 1, 2, and 3, which cover program initiation, planning, and administration; monitoring, data management, and data assessment and analysis; and reporting. Checklists 1-3 are also divided according to complexity level.

Considerations: While EPA expects tribal programs to progress and become more complex over time, the Agency understands that tribal programs may develop at different rates. Also, keep the following in mind:

- Regardless of the chosen approach, most tribal water quality programs will likely be performing a mix of fundamental, intermediate, or mature activities.
- Some activities will be more effective for some tribes than others; if a tribe is not undertaking the majority of the activities under the intermediate or mature levels, this should not necessarily be interpreted as an indication of the program's full capabilities.
- There are some activities that should not affect your assessment of the tribe's complexity level. Generally, these activities are prefaced with "If desired" or "Considers." For example, a tribe may have a mature program based on the EPA-approved water quality protection approach without having NPDES program authorization.
- Because tribal programs develop at different rates, it may not be possible to classify tribes or tribal activities squarely under one complexity level. In this case, you may decide that the tribe is currently at a "mixed" complexity level.

Tribe: _____ EPA Region: _____

Assessment Date: _____ Completed By: _____

Checklist 4a: Nonregulatory Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through nonregulatory means only.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
Fundamental	Understanding Watershed-based Planning	➢ Demonstrates an understanding of and commitment to implementing a watershed-based approach to maintaining, protecting, or restoring resources (e.g., contacts EPA region or neighboring states or tribes for information and assistance or begins implementing a plan)	
	Understanding NPS Pollution	➢ Demonstrates an understanding of and commitment to addressing NPS pollution	
		➢ Takes steps to understand NPS pollution sources impacting tribal waters, potential means to address NPS pollution, and potential partners to help with these efforts	
	Understanding Decentralized Wastewater Treatment Facilities	➢ Demonstrates an understanding of the threat that septic systems may pose to public health and water quality	
		➢ Takes steps to account for the number and condition of septic systems on tribal lands and consider their potential impact on water quality	
	Understanding Source Water Protection	➢ Demonstrates an understanding of the process and importance of source water protection	
		➢ Takes steps to conduct a source water assessment and develop a source water protection plan	
	Water Quality Goals	➢ Develops goals based on tribal or neighboring entity's water quality standards	
	Water Quality Problems	➢ Evaluates existing monitoring data to determine which water bodies are not meeting water quality goals	
		➢ Prioritizes water bodies according to current condition and susceptibility to contamination	

Checklist 4a: Nonregulatory Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through nonregulatory means only.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
	Watershed-based Goals	➢ Develops watershed-based goals that tie into water quality goals (e.g., developing a watershed-based plan, protecting natural resources, or identifying causes of streambank erosion)	
	Meeting Water Quality Goals	➢ Plans or initiates action on projects designed to meet water quality goals	
		➢ Designs projects to specifically target high-priority problems	
		➢ Gathers information and solicits advice and assistance from the EPA region, neighboring states or tribes, and other entities	
	Public Outreach and Encouraging Public Involvement	➢ Initiates public outreach efforts to raise community awareness of water quality program efforts and goals	
		➢ Targets specific outreach efforts at affected groups (e.g., farmers, to implement a pesticide management program)	
Intermediate	Section 319 Grants	➢ Demonstrates an understanding of the purpose of the 319 program and 319-eligible activities	
		➢ Works with the EPA region to understand application and funding requirements	
	Section 319 Eligibility	➢ If desired, initiates effort to gain section 319 eligibility to fund nonregulatory water quality activities, including Section 518 TAS eligibility, development of approved NPS assessment report, and development of an approved NPS management program	
		➢ Seeks the EPA region's assistance with this process, as necessary	
	Watershed-based Plan	➢ Initiates or completes development of a formal watershed-based plan	
		➢ If using Section 106 funds for plan development, ensures that all plans meet Section 319 requirements as outlined in *Guidelines for Awarding Section 319 Grants to Indian Tribes*	
	Source Water Assessment	➢ Undertakes a formal source water assessment of all drinking water sources, including a delineation of the assessment area, inventory of all significant sources of contamination, and determination of each source's susceptibility to contamination	
	Water Quality Protection and Restoration	➢ Implements water quality protection and restoration activities, based on plans and findings from watershed-based planning, NPS assessment, and source water assessment, and established priorities	

Checklist 4a: Nonregulatory Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through nonregulatory means only.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
	Activities	➢ Works with local, state, and federal partners as necessary to implement activities	
	Section 106 Grant Activities Related to Decentralized Systems	➢ If necessary, works with the EPA region to explore the possibility of and potential uses for 106 funds to address septic systems on tribal lands	
	Water Quality Data and Performance Measures	➢ Develops performance measures to demonstrate water quality improvements that result from nonregulatory activities	
		➢ Designs performance measures based on the management measure(s) implemented to improve water quality	
Mature	Restoration Activities	➢ Evaluates success of water quality protection activities using performance measures developed	
		➢ Modifies future activities and performance measures as necessary based on evaluation findings	
		➢ Where possible, considers the cost-effectiveness of activities and uses information to prioritize and estimate costs of future activities	
	Providing Updated Information to Partners and Community	➢ Demonstrates a commitment to keeping the community informed of and involved in water quality improvement efforts	
	Refining the Assessment Report, Management Program, Source Water Assessment, and Watershed Based Plan	➢ Based on evaluation and community/partner feedback and changes in water quality, modifies and updates assessment report, management program, source water assessment, and watershed-based plan, as necessary	
	Coordinating and	➢ Continues to work with key local, state, and federal partners to help with water quality improvement efforts	

Checklist 4a: Nonregulatory Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through nonregulatory means only.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
	Cooperating with Other Programs	➢ As necessary, considers more formal arrangements (e.g., Memoranda of Agreement or Memoranda of Understanding) with key partners to identify areas of mutual interest and establish responsibilities and goals	
	Working in Partnership with Other Tribes and States	➢ Where possible, collaborates with other entities to maximize effectiveness of available resources (e.g., uses water quality data from a neighboring state or jointly sponsors community awareness events with a neighboring tribe)	
	Other Voluntary Programs	➢ Considers additional voluntary activities that will support water quality protection and improvement	

Tribe: _____ EPA Region: _____

Assessment Date: _____ Completed By: _____

Checklist 4b: Tribal Law Water Quality Protection Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through tribal law.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
Fundamental	Water Quality Standards	➢ Demonstrates an understanding of the requirements and purposes of CWA Section 101(a) and 303(c)	
		➢ Demonstrates an understanding of the components of WQS, including designated uses, water quality criteria, and antidegradation policy	
		➢ Considers a WQS structure appropriate for tribal water resources, taking into account programmatic abilities (e.g., technical knowledge and capability and available funding) and environmental concerns	
	Understanding Tribal Standards	➢ Demonstrates an understanding of and plan for how tribal standards and goals will protect tribal water resources	
		➢ Considers how to apply standards to water resources, especially those over which the tribe does not have clear authority	
	Goals of Tribal Standards	➢ Considers specific problems that standards will address, in the context of the overall goals that standards should achieve (protection of public health or welfare, enhancement of water quality, and serving the purposes of the CWA)	
		➢ Based on these considerations and any relevant cultural or traditional tribal goals, develops goals that standards should achieve	
	Working in Partnership with EPA, Tribes, and States	➢ Builds relationships with key federal, tribal, and state partners to make full use of existing data and information on water resources	
		➢ Considers standards and goals of neighboring states and tribes and seeks assistance from those partners when developing tribal standard goals	
Intermediate	Developing Draft Standards	➢ Develops categories of designated uses to apply to tribal water resources, considering the chemical, biological, and physical characteristics of the water body, and geographical setting, scenic qualities, and economic issues	
		➢ Develops numeric or narrative criteria for each water body to protect designated use	

Checklist 4b: Tribal Law Water Quality Protection Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through tribal law.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
		➢ Develops antidegradation policy and method for implementing the policy, ensuring that all designated uses are maintained in all water bodies	
		➢ Considers development of general policies (e.g., on mixing zones, variances, or low-flows) to help apply and implement tribal standards	
	Sharing Draft Standards	➢ Provides draft standards to the EPA region and neighboring states or tribes for informal review and comment, as appropriate	
		➢ As necessary, revises draft standards to incorporate comments received	
	Public Outreach	➢ Meets any relevant tribal public participation requirements	
		➢ Informs the community of and involves the public in tribal standard development and builds public support for standard implementation	
	Drafting Tribal Code	➢ Investigates mechanisms for incorporating standards into law	
		➢ Provides draft code to the EPA region and neighboring states or tribes for informal review and comment	
		➢ As necessary, revises draft code to incorporate comments received	
	Adopting Standards	➢ Works with tribal legal department and tribal council to formally adopt standards	
		➢ Ensures that all relevant legal requirements are followed	
		➢ Notifies community of formal adoption of standards	
Mature	Implementing Standards	➢ Establishes method for tribal standard implementation (e.g., pollutant discharge limits on point source dischargers)	
		➢ Begins implementation of standards	
	Reviewing Standards	➢ Periodically reviews standards, with community involvement	
		➢ During review, considers: new federal or tribal standards, regulations, or guidance; legal decisions on standards application; water bodies not meeting designated uses; water bodies not meeting the fishable/swimmable designated use; other relevant issues	

Checklist 4b: Tribal Law Water Quality Protection Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through tribal law.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
		➢ As necessary and based on reviews, modifies existing or establishes new standards	
	Developing MOAs with EPA for Permitting Purposes	➢ As necessary, works with the EPA region and states to enforce standards and make compliance determinations through arrangements established via MOAs	

Tribe: _____ EPA Region: _____

Assessment Date: _____ Completed By: _____

Checklist 4c: EPA-Approved Water Quality Protection Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through EPA-approved water quality standards.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
Fundamental	Water Quality Standards	➢ Demonstrates an understanding of the requirements and purposes of CWA Section 101(a) and 303(c)	
		➢ Demonstrates an understanding of the components of WQS, including designated uses, water quality criteria, and antidegradation policy	
		➢ Begins to consider a WQS structure appropriate for tribal water resources, taking into account programmatic abilities (e.g., technical knowledge and capability and available funding) and environmental concerns	
	Section 401 Certification and Section 404 Permitting	➢ Demonstrates an understanding of the requirements and purposes of Section 401 certification and Section 404 permitting	
		➢ Works with the EPA region to gather information and get clarification on any related questions	
	EPA WQS Trainings and Educational Materials	➢ Works with the EPA region to obtain existing educational materials and stays informed of upcoming training events on WQS development	
	Reviewing Existing Water Quality Standards	➢ Works closely with the EPA region's water quality standards coordinator to obtain latest criteria recommendations	
		➢ Reviews and discusses with the EPA region the standards from neighboring states and tribes	
		➢ Determines how existing tribal and state standards will impact standards development	
	Identifying Goals	➢ Considers water quality program goals in the context of the overall goals that standards must achieve (protection of public health or welfare, enhancement of water quality, and serving the purposes of the CWA) and any relevant cultural or traditional tribal goals, develops goals that standards should achieve	

Checklist 4c: EPA-Approved Water Quality Protection Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through EPA-approved water quality standards.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
	Working in Partnership with EPA, Tribes, and States	➢ Identifies and builds relationships with key federal, tribal, and state partners to make full use of existing data and information on water resources	
		➢ Considers goals of neighboring states and tribes and seeks assistance from those partners while developing tribal standard goals	
Intermediate	TAS Eligibility	➢ Develops complete application for TAS eligibility for WQS program and Section 401 certification program	
		➢ Works with the EPA region to ensure that all required elements are included in application	
		➢ Application successfully passes through EPA review process	
		➢ Addresses any questions or provides any additional information requested by EPA	
	Developing Standards	➢ Develops categories of designated uses to apply to tribal water resources, considering the chemical, biological, and physical characteristics of the water body, and geographical setting, scenic qualities, and economic issues	
		➢ Develops numeric and/or narrative criteria for each water body to protect the designated use	
		➢ Develops antidegradation policy and method for implementing the policy, ensuring that all designated uses are maintained in all water bodies	
		➢ Considers development of general policies (e.g., on mixing zones, variances, or low-flows) to help apply and implement tribal standards	
	Submitting Draft WQS	➢ Demonstrates a commitment to keeping the public involved in standards development	
		➢ Meets public availability and public hearing requirements	
	Formally Adopting WQS	➢ Prior to submitting standards for EPA approval, receives tribal council approval	
		➢ Submits certification to EPA indicating that standards were adopted, and can be implemented, in accordance with tribal laws and codes	
	Submitting Adopted WQS to EPA	➢ Submits standards to EPA for approval, along with all required elements	

Checklist 4c: EPA-Approved Water Quality Protection Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through EPA-approved water quality standards.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
		➢ Seeks assistance from the EPA region for information on all required elements as necessary and to ensure that application is complete	
		➢ Addresses any concerns or questions raised by the EPA region, the Fish and Wildlife Service, or the National Marine Fisheries Service regarding protecting endangered or threatened species	
		➢ Application successfully passes through EPA review process	
		➢ Addresses any questions or provides any additional information requested by EPA	
	EPA's Dispute Resolution Mechanism	➢ Demonstrates an understanding of and willingness to comply with, EPA's dispute resolution mechanism	
Mature	Implementing WQS	➢ Implements standards consistently and effectively	
		➢ Uses standards as the basis for water quality decisions and activities	
	Section 401 Certification	➢ Considers development of Section 401 certification implementing regulations	
		➢ If desired, works with the EPA region to develop regulations	
		➢ Evaluates applications from entities that seek to release discharges that could affect tribal water quality	
		➢ Notifies the EPA region and partners of applicants whose discharges could affect the water quality of another tribe or state	
	Assuming the Section 404 Program	➢ If desired, obtains TAS status for Section 404 program	
		➢ If desired, works with the EPA region and U.S. Army Corps of Engineers to regulate jurisdiction of "Section 10" waters and adjacent wetlands currently overseen by the Corps	
	Triennial Reviews	➢ As required, conducts (or plans to conduct) triennial review of WQS	
		➢ Follows established procedures for identifying and reviewing water body-specific standards	

Checklist 4c: EPA-Approved Water Quality Protection Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through EPA-approved water quality standards.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
		➢ Re-examines water bodies or segments with designated uses that do not meet the fishable/swimmable use to determine whether this use is now attainable	
		➢ As necessary, revises standards to reflect designated uses attained	
		➢ If designated uses are changed, considers the need to change criteria	
		➢ Reviews existing variances and determines whether to issue new variances	
		➢ Consults with the EPA region when initiating the process of modifying standards	
		➢ When modifying standards, considers all available information to determine whether discharge or presence of toxic pollutant is interfering or is likely to interfere with attainment of designated uses for any water body segment	
		➢ If standards are modified, holds public meetings	
	NPDES Program Authorization	➢ If desired, contacts the EPA region for more information on the NPDES program, NPDES permits, and requirements for gaining NPDES program authorization	
		➢ Considers the costs and benefits of gaining program authorization (e.g., greater autonomy and self-determination versus the financial and technical investment required to run the program) and determines whether long-term funding resources for the program exist	
		➢ Develops the capabilities for permitting, compliance, and enforcement (e.g., hiring new or training existing staff) with help from existing EPA guidance and the EPA region	
		➢ Working with tribal council and tribal attorney general or equivalent legal authority, develops legal authority to administer NPDES program	
		➢ Coordinates with existing state or federal permitting authority to develop a complete inventory of point and nonpoint source (NPS) dischargers currently regulated by NPDES permits	
		➢ Determines the sources of funding for the program; as necessary, works with the EPA region to locate additional funding or establish program and permit fees	
		➢ Meets all relevant requirements for program authorization (including TAS eligibility, demonstration of existing substantial governmental duties and powers, defined authority over water resources, etc.)	

Checklist 4c: EPA-Approved Water Quality Protection Approach			
Use the following worksheet to assess the water quality programs of those tribes that have chosen to address water quality problems on a watershed basis through EPA-approved water quality standards.			
Level	**Activity**	**Sub-Activity Considerations**	**Status/Impediments**
		➢ Works with the EPA region to develop an MOA for transitioning from a federal to a tribal program	
		➢ Meets all related public notice requirements	